RECEIVED CENTRAL FAX CENTE

JUN 3 0 2005

## BEST AVAILABLE COPY

LAW OFFICES OF

### McGINN & GIBB, PLLC

A PROFESSIONAL LIMITED LIABILITY COMPANY PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW 8321 OLD COURTHOUSE ROAD, SUITE 200 VIENNA, VIRGINIA 221,82-3817

TELEPHONE: (703) 761-4100 FACSIMILE/DATA: (703) 761-2375; 761-2376 E-MAIL: MCGINNGIBB @ AOL.COM

SEAN M. MCGINN PHILLIP E. MILLERT FREDERICK E. COOPERRIDERT JAMES E. HOWARDT JAMES N. DRESSER JOHN J. DRESCH SCOTT M. TULINO J. BRADLEY WRIGHT+ TMEMBER OF BAR OTHER THAN VA ANNAPOLIS, MD OFFICE FREDERICK W. GIBB, III MOHAMMAD S. RAHMANT PAMELA M. RILEYT

June 30, 2005

#### VIA FACSIMILE

To:

Examiner Dave A. Ghatt

Group Art Unit No. 2854

U.S.P.T.O.

JND/has Enclosure

From: James N. Dresser

Facsimile No.: (703) 872-9306

Facsimile No.: (703) 761-2375 (76)

Re:

Enclosed Request for Reconsideration and Withdrawal of Final Rejection

U.S. Patent Application Serial No. 10/602,776

Our Ref: NGB.260

Total No. of Pages Transmitted: 5

### Dear Examiner Ghatt:

Enclosed is the Request for Consideration and Withdrawal of Final Rejection as set forth in the Office Action dated April 7, 2005.

Thank you in advance for your consideration on this case.

Very truly yours,

James

N. Dresser

PAGE 1/5 \* RCVD AT 6/30/2005 2:19:01 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/6 \* DNIS:8729306 \* CSID:7037612375 \* DURATION (mm-ss):01-44

### BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER
JUN 3 0 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Takashi Suzuki, et al.

Serial No.: 10/602,776

Filed: June 25, 2003

For:

**IMAGE FORMING APPARATUS** 

Honorable Commissioner of Patents Alexandria, VA 22313-1450 Group Art Unit: 2854

Examiner: Ghatt, Dave A.

## REQUEST FOR RECONSIDERATION AND WITHDRAWAL OF FINAL REJECTION

Sir:

Reconsideration and withdrawal of the final rejection set forth in the Office Action dated April 7, 2005 are respectfully requested.

Claims 1-14, 16-20, 22 and 24-26 are presently pending in the application. Claims 1, 3-4, 7-8, 14, 16-18 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Manzer, et al., U.S. Patent No. 6,256,463 in view of Smith et al., U.S. Patent No. 6,374,066. Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Manzer, et al. in view of Smith, et al., as applied to claim 1, and further in view of Horie, et al., U.S. Patent No. 5,208,640. Claims 5-6 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Manzer, et al. in view of Smith, et al., as applied to claim 1, and further in view of Nonomura, et al., U.S. Patent No. 6,389,253. Claims 9-12, 24 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Manzer, et al. in view of Smith, et al., as applied to claims 1 and 20, and further in view of Katou, et al., U.S. Patent No. 6,331,004. These rejections are respectfully traversed.

Applicant gratefully acknowledges the indications that claim 22 is allowed and that claims 13 and 25 would be allowable if rewritten in independent form. However, Applicant

# BEST AVAILABLE COPY

Serial No.: 10/602,776

Docket No.: MP-2189M/MAK

NGB.260

respectfully submits that all of the claims are allowable.

Exemplary embodiments of Applicants' invention are an image forming apparatus which includes a first image forming unit having a first printing section for forming a first image on a paper; a second image forming unit having a second printing section for forming a second image on the paper; and a paper conveying unit for conveying the paper from the first image forming unit to the second image forming unit. The first image forming unit further includes a <u>first</u> paper supply section for storing paper and supplying paper stored in the first paper supply section to the first printing section, while the second image forming unit further includes a <u>second</u> paper supply section for storing paper and supplying paper stored in the second paper supply section to the second printing section.

The final rejection contends that Figures 2, 5, and 12 of Manzer teach all of Applicants' claimed subject matter except for the specific teaching that the second image forming unit 10 comprises a second paper supply section for storing paper and supplying paper stored in the second paper supply section to the second printing section. The final rejection then contends that Figure 3 of Smith shows an imaging forming unit have a paper supply section 5 and a printing section 3, and contends further that to one of ordinary skill in the art, it would have been obvious to include the paper storage and supply section of Smith in the second image forming unit of Manzer. This further contention, and the rejections based on it, are traversed.

Smith shows <u>no more</u> than Manzer. In particular, Figure 12 of Manzer teaches that one of the printing units 10 has <u>one</u> input station 30 with a plurality of supply compartments 36 for stacks of single sheets. Figure 3 of Smith shows a printer having <u>one</u> paper supply

## BEST AVAILARIE COPY

Serial No.: 10/602,776

Docket No.: MP-2189M/MAK

NGB.260

section with a plurality of paper drawers 5. Smith also shows arcuate surfaces 6 on the paper drawers 5. Thus, one of ordinary skill in the art, viewing Smith and Manzer, would find it obvious to provide the arcuate surfaces of the paper drawers of the one paper supply section shown in Smith to the plurality of supply compartments of the one paper supply section shown in Figure 12 of Manzer. The one paper supply section shown in Smith would not lead one skilled in the art to add a second paper supply section to the one paper supply section already shown in Figure 12 of Manzer.

In view of the foregoing, Applicant submits that claims 1-14, 16-20, 22 and 24-26, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including

### BEST AVAILABLE COPY

Serial No.: 10/602,776

Docket No.: MP-2189M/MAK

NGB.260

extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account

No. 50-0481.

Respectfully Submitted,

James N. Dresser, Esq. Registration No. 22,973

McGinn & Gibb, PLLC 8321 Old Courthouse Road, Suite 200 Vienna, VA 22182-3817 (703) 761-4100 Customer No. 21254

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Amendment Under 37 C.F.R. §1.116 by facsimile with the United States Patent and Trademark Office to Examiner Dave A. Ghatt, Group Art Unit 2854 at fax number (703) 872-9306 this 30th day of June 2005.

James N. Dresser Registration No. 22973